

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:09CR30-P-S

WILLIE LEE FIELDS,

DEFENDANT.

ORDER

This matter comes before the court upon the defendant's *pro se* March 10, 2010 motion [62] for rehearing on his motion to suppress and for a transcript. After due consideration of the motion, the court finds as follows, to-wit:

Since he is currently represented by appointed counsel, the defendant himself is prohibited from filing *pro se* letters or motions or otherwise contacting the court or Clerk's Office except through his counsel. "There is no constitutional right to hybrid representation whereby the defendant and his attorney act as co-counsel." *U.S. v. Cano*, 519 F.3d 512, 516 (5th Cir. 2008). Thus, the present motion should be stricken as improper.

Nevertheless, the court concludes that the motion for a rehearing on his motion to suppress should be denied. The court held a hearing on the defendant's motion to suppress on February 26, 2010, heard the live testimony of the witnesses, including the defendant, and after making credibility determinations concluded that the motion to suppress should be denied. Nothing in the present motion justifies a rehearing. The motion for a transcript should be denied as moot since it is already available on the docket.

IT IS THEREFORE ORDERED AND ADJUDGED that the defendant's *pro se* March

10, 2010 motion [62] for rehearing on his motion to suppress and for a transcript is **DENIED**.

SO ORDERED this the 18th day of March, A.D., 2010.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE